IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION

CRIMINAL NO. 5:04CR2-1

UNITED STATES OF AMERICA)	
VS.)))	<u>ORDER</u>
KENNETH R. OVERTON)))	

THIS MATTER came on for a sentencing hearing before the Court on June 6, 2005. For the reasons stated in open court, the sentencing hearing is hereby **CONTINUED**.

When the hearing is rescheduled by the Court, further evidence shall be presented consisting primarily of that evidence which relates to the actual amount of damages to victims of the Defendant's fraudulent conduct. The damage figures shall not include the cost of repairs deemed to be valid repairs to victims' residences which were needed and properly completed by the Defendant.

IT IS, THEREFORE, ORDERED that the Government has 45 days from June 6, 2005, to obtain evidence of victims' damages as set forth above and file same with the Court.

IT IS FURTHER ORDERED that the Defendant shall have 15 days thereafter to file objections to the Government's submission.

Signed: June 9, 2005

Lacy H. Thornburg United States District Judge